

F475 04 Unit (LMC E13) Market, cost and contract to ensure the viability of the provision of care services

Elements of competence

LMC E13.1	Identify potential markets and cost services
LMC E13.2	Negotiate contracts to ensure the continuing development and functioning of the provision
LMC E13.3	Monitor and evaluate marketing and contracting systems, procedures and practices for the provision

About this Unit

This unit is for leaders and managers of care services.

Scope

The scope is here to give you guidance on possible areas to be covered in this unit. You need to provide evidence for the areas that are relevant to the care service that you lead and manage and a sound rationale for not providing evidence for the remaining items.

Contracts could be with: individual, families, public sector providers, voluntary organisations, private providers.

Development opportunities could include using existing resources (human, physical and financial) within the provision; developing new areas of work; forming new partnerships with individuals or organisations.

People include: adults using care services; their families; carers; groups and communities
Children and young people using care services; their parents/carers; families; carers; groups and communities.

Preferred communication methods and language including: people's preferred spoken language; the use of signs; symbols; pictures; writing; objects of reference; communication passports; other non-verbal forms of communication; human and technological aids to communication; pre-verbal utterances in infants and young children.

Relevant others could include: other professionals who should contribute to the activity, people from within the provision who should contribute to the activity, people from outside the provision who should contribute to the activity.

Tenders could be for: contracts for work, grants, other funding or work opportunities.

Those providing governance could include: your provision's governing body; those directing statutory bodies; those directing non-statutory regulatory authorities, directors, board members, management committees, elected members, company directors, trustees

Workers could include: those supporting the people within your provision who are paid, unpaid, contractual or non-contractual.

Your **knowledge and understanding** for this Unit relates to: legal and organisational requirements for care services; employer and employee codes of practice and conduct within care services; the depth and breadth of understanding that will enable you to lead and manage care services effectively, support workers to perform competently, ensure the well being of all within your provision, critically evaluate, assess and intervene appropriately to resolve issues and conflicts; and the need to understand and work in collaboration with people, workers and relevant others within and outside your provision to ensure its viability into the short, medium and longer term future.

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Values underpinning the whole of the Unit

The values underpinning this unit have been derived from the key purpose statement, relevant service standards and codes of practice for health and social care in the four UK countries. To achieve this unit you must demonstrate that you have applied the principles required for the management of care services outlined in LMC B1 (F36D 04): Lead and manage provision of care services that respects, protects and promotes the rights and responsibilities of people.

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Key Words and Concepts

This section provides explanations and definitions of the key words and concepts used in this unit. In occupational standards it is quite common to find words or phrases used which you will be familiar with, but which, in the detail of the standards, may be used in a very particular way. **Therefore, we would encourage you to read this section carefully before you begin working with the standards and to refer back to this section as required.**

Abuse	Abuse is causing physical, emotional, sexual and/or financial harm to an individual and/or failing/neglecting to protect them from harm. This could be at a personal or institutional level.
Costing	The calculation of unit costs for specific services that your provision offers. It will take account of the market for that particular service within your locality.
Development opportunities	Opportunities to develop the provision using your existing resources (human, physical and financial) within the provision, developing new areas of work for the provision and forming new partnerships with individuals or organisations.
Governance	The way in which the provision is governed and directed as required by legislation, regulation, standards and guidance.
Individual requests	Where services are requested by individual purchasers, i.e. from individuals, families or other agencies or organisations, directly to your provision.
Independent representation and advocacy	Where the views, wishes and concerns of the adult/child/young person are communicated by another person, either through someone independently representing their wishes, or someone acting as their advocate.
Leadership	The ability to provide a model of best practice that is creative, innovative, motivating and flexible and supports people to follow by example and through respect.
Management	The ability to lead and organise the effective running of the provision and to meet the overall service needs and those required by legislation, regulation, registration and inspection. Effective managers are able to solve problems, balance the needs of all within the provision, to manage competing demands and to cope under stress.
Marketing	Methods and strategies for selling the goods, services and facilities offered by your provision.
Organisational requirements	Aspects of policy, procedure and practice that are required by the service and the provision
Partnership	Working effectively together with people, professionals, agencies and organisations to enhance the well being of people and support positive and improved outcomes.
People	For adults, people includes adults using care services, their advocates, their families, carers, significant others, groups and communities For children and young people, people includes the children and young people using care services, their advocates, their parents/carers, their families, teachers, college lecturers, significant others, groups and communities.

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Positive outcomes	<p>Beneficial outcomes for adults as specified in regulation and guidance for each of the countries of the UK and agreed as appropriate with and for each person within the provision. They include:</p> <ul style="list-style-type: none"> • improved health, emotional well being and quality of life • staying safe and being free from discrimination and harassment • enjoying, achieving and making a positive contribution • exercising choice and control • achieving economic well being, dignity and respect <p>Beneficial outcomes for children and young people as specified in the regulation of each of the countries of the UK and as agreed with children and young people. They include:</p> <ul style="list-style-type: none"> • being healthy • staying safe • enjoying and achieving • making a positive contribution • achieving economic well being
Proposals	Documents put together to tender for contracts.
Provision	The specific unit or part of the service for which you have leadership and management responsibilities.
Relevant others	Key people within and outside the provision with whom it is beneficial to work and who can influence the provision and the outcomes for the provision and people within it.
Resources	The assets of the provision: financial, human, physical and environmental.
Rights	<p>The rights of:</p> <ul style="list-style-type: none"> • adults are those embodied in the United Nations Universal Declaration of Human Rights • children and young people are those embodied in the United Nations Convention on the Rights of the Child <p>These include rights under the social care codes of practice that everyone should be: respected (in terms of their beliefs, culture and values); treated and valued equally, not be discriminated against; treated as an individual; treated in a dignified way; socially included; included in activities; protected from danger and harm; cared for in a way they choose; have privacy and access to information about themselves and be able to communicate using their preferred methods of communication and language</p>
Service	The overall organisation, agency or service within which your specific provision resides and for which you are the manager.
Take informed action against discrimination	Actions taken about discrimination on the basis of your knowledge of good practice, legal requirements and professional codes and in relation to information received and investigated.
Viability	The ability of the provision to sustain its activities in terms of financial, human, physical and environmental requirements and services in both rapidly changing and planned circumstances.
Workers	Those supporting people within the provision who are paid or unpaid, contractual or non-contractual.

Evidence Requirements for the Unit

It is essential that you adhere to the Evidence Requirements for this Unit – please see details overleaf.

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SPECIFIC EVIDENCE REQUIREMENTS FOR THIS UNIT

Simulation:

- Simulation is **NOT** permitted for any part of this unit.

The following forms of evidence ARE mandatory:

We recommend that this qualification will be assessed in an holistic manner and the majority of the evidence must be generated by the candidate from their normal work based activities.

Direct observation: Direct observation by a qualified assessor, as defined in the assessment strategy, is required as the primary source of evidence for all of the qualification.

Reflective account: You could describe and explain how you research and select potential markets and development opportunities for your provision including how you identify any financial and support implications. You should include an explanation of how psychological, socio-economic, cultural and environmental factors impact on the marketing, costing and contracting of the care services offered by your provision.

Prior to commencing the qualification you should agree a plan with your assessor regarding the types of evidence to be used.

In addition to the observation requirement competence and the application of knowledge must be demonstrated using a variety of types of evidence, for example:

- **Work Products:** These can be any products of your work and the contributions that you have made, indicating the use and application within your practice.
- **Professional Discussion:** This should take the form of a planned and structured review of your practice, based on evidence, with the outcomes captured by means of recording or written record. These are particularly useful to provide evidence that you can evaluate your knowledge and practice across the qualification.
- **Candidate Reflective Accounts:** Describe your actions in particular situations and reflect on the reasons for practicing in that way. This is particularly useful to provide evidence that you can evaluate your knowledge and practice across the qualification.
- **Case Studies:** These must be based on real work practice and experiences, and must not be a theoretical exercise.
- **Projects/ Assignments/APL:** You may have already completed a relevant project or assignment. You could also use evidence of previous training courses or programmes you have completed showing professional development.
- **Questions:** To supplement the evidence demonstrated through observations, products and reflective accounts, oral or written questions may be used; a record must be kept of the questions and responses.
- **Witness testimony:** These should be from other people who can provide evidence of your performance.
- **Expert Witness testimony:** This should take the form of an observation and must be from a person who is familiar with the standards and is qualified to the level identified in the assessment strategy. It can be used to supplement evidence provided by the main assessor or as the observation for an option unit where the presence of the main assessor would impinge on the service delivered to an individual. It is the role of the expert witness to complete the recording and to suggest the performance criteria to be met, however it is the responsibility of the main assessor to make the final decision on the appropriateness of this evidence.

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GENERAL GUIDANCE

- Evidence must be provided for ALL of the performance criteria, ALL of the knowledge, you must also consider the parts of the SCOPE that are relevant to your job role.
- The evidence must, at all times, reflect the policies and procedures of your workplace and be linked to current legislation, values and the principles of best practice within the Health and Social Care Sector. This will include the National Service Standards for your areas of work and the individuals you care for.
- All evidence must relate to your own work practice.

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KNOWLEDGE SPECIFICATION FOR THIS UNIT

Competent leadership and management practice is a combination of the application of skills and knowledge informed by values and ethics. This specification details the knowledge and understanding required to carry out competent leadership and management practice in the performance described in this unit.

When using this specification it is important to read the knowledge requirements in relation to expectations and requirements of your job role and the content of this unit.

You need to provide evidence for ALL knowledge points listed below. There are a variety of ways this can be achieved so it is essential that you read the ‘knowledge evidence’ section of the Assessment Guidance.

You need to show that you know, understand and can apply in your management practice:	Enter Evidence Numbers
Values	
1. Legal and organisational requirements on equality, diversity, discrimination, rights , confidentiality and sharing of information in relation to marketing, costing and contracting to ensure the viability of your provision.	
2. Knowledge and practice that underpin the holistic person-centred approach which enable you to lead and manage the marketing, costing and contracting of your provision in ways that: (a) place the people’s preferences at the centre of everything you do whilst considering their best interests (b) ensure people have access to information about themselves in a format that they can understand (c) provide opportunities for independent representation and advocacy (d) use a person’s preferred communication methods and language (e) provide active support for people (f) recognise the uniqueness of people and their circumstances (g) empower people to take responsibility (within any restrictions placed upon them) and communicate their decisions about their own lives, as far as they are able.	
3. How to critically evaluate and take informed action against discrimination when marketing, costing and contracting to ensure the viability of your provision.	
4. How to support people, workers and relevant others to recognise and take informed action against discrimination when marketing, costing and contracting to ensure the viability of your provision.	
Legislation and Policy	
5. Regulation, inspection requirements, codes of practice and conduct, standards and guidance for employers and employees, relevant to: (a) your provision (b) your own roles, responsibilities and accountability (c) the roles, responsibilities and accountability of others in relation to marketing, costing and contracting to ensure the viability of your provision	

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<p>6. Current local, national, UK, European and international legislation, standards, guidance and organisational requirements for leadership and management of the provision's marketing, costing and contracting, including:</p> <ul style="list-style-type: none"> (a) the need to achieve positive outcomes for people (b) the need to safeguard and protect people from all forms of danger, harm and abuse (c) employment practices for the provision and service (d) your provision's governance arrangements (e) data protection, recording and reporting (f) making and dealing with comments and complaints to improve services (g) whistle blowing (h) partnership and other types of working (i) promoting your provision's services and facilities 	
<p>7. Organisational requirements for recording and reporting, in relation to marketing, costing and contracting the care services offered by your provision, including:</p> <ul style="list-style-type: none"> (a) how reports and records should be accessed, manually and through Information and Communication Technologies (ICT) (b) how to ensure that records and reports do not contribute to labelling and stigmatisation (c) the security requirements for different records and reports (d) the requirements for producing, finalising and sharing different types of records and reports appropriately and within required timescales (e) types of data, information and presentation methods appropriate to specific records and reports and the specific needs of people (f) the importance of identifying whether the source is based on evidence, fact or knowledge-based opinion (g) how and when to use evidence, fact and knowledge-based opinion to support professional judgement in records and reports 	
<p>8. How to implement, evaluate and influence the future development of management policies, systems, processes and procedures for the provision's marketing, costing and contracting.</p>	
<p>Leadership and management theory and practice</p>	
<p>9. How to critically evaluate and implement best practice using up-to-date knowledge of:</p> <ul style="list-style-type: none"> (a) Literature-related marketing, costing and contracting your provision's services and facilities (b) leadership and management methods, principles and approaches relevant to marketing, costing and contracting of the care services offered by your provision (c) relevant government reports, inquiries and research related to marketing, costing and contracting of the care services offered by your provision (d) evidence and knowledge-based theories and models of good practice marketing, costing and contracting of the care services offered by your provision (e) lessons learned for leadership and management of care services 	

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<p>from successful interventions and serious failure of service and practice in relation to marketing, costing and contracting of the care services offered by your provision</p> <p>(f) the experiences of people in relation to marketing, costing and contracting the care services offered by your provision</p>	
10. Performance management and quality requirements, procedures, criteria, methods and indicators relevant to marketing, costing and contracting the care services offered by your provision.	
<p>11. Methods of managing and developing practice in marketing, costing and contracting the care services offered by your provision, including:</p> <p>(a) how you consult with people, workers and relevant others</p> <p>(b) how you promote the participation and involvement of people</p> <p>(c) how you support, supervise and develop workers</p> <p>(d) the impact on the provision of organisational behaviour</p> <p>(e) group and individual processes</p> <p>(f) how power relationships can be used and abused</p>	
<p>12. How to plan and manage resources and their implications for marketing, costing and contracting the care services offered by your provision including:</p> <p>(a) the delivery of services</p> <p>(b) the achievement of targets</p> <p>(c) the achievement of positive outcomes</p>	
13. Different types of change and their implications for the leadership and management of your provision and service.	
14. How psychological, socio-economic, cultural and environmental factors of those within the provision impact on the marketing, costing and contracting of the care services offered by your provision.	
15. How and where technology should be used when marketing, costing and contracting the care services offered by your provision.	
16. Where to access opportunities to tender for grants and contracts appropriate to your provision.	
17. How to identify and provide services to meet the needs of people within the provision.	
18. How to market and make the provision attractive to those who may wish to use the provision and its services.	
19. How to expand and diversify the services you provide for people.	
20. The importance of providing effective and efficient services that meet the needs and positive outcomes of people.	
21. How to deal with complaints to ensure the provision's image does not suffer.	
22. How to relate the benefits of your services to people who might wish to use them.	
23. How and where to seek tendering opportunities.	
24. Procedures and practices for marketing, costing and contracting the care services offered by your provision.	
25. How and where to build relationships and respond appropriately to individual requests to ensure the viability of your provision.	
26. The importance of setting clear, challenging but achievable marketing objectives.	

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27.Principles of branding, quality and pricing.	
28.Ways of promoting and marketing the provision and it services	
29.How to identify different markets to expand and develop the provision.	
30.How to identify and market the unique aspects of the provision to overcome potential competitors.	
31.Types of resources available and required to market and tender for work for the provision and the advantages and disadvantages of using different marketing and tendering strategies, people and resources.	
32.Risk assessments and management associated with marketing, pricing, tendering and contracting and the financial viability of your provision.	
33.The fixed and variable costs associated with marketing, pricing, tendering and contracting and the financial viability of your provision.	
34.The importance of managing cash flow.	

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LMC E13.1 Identify potential markets and cost services

Performance criteria	DO	RA	EW	Q	WP	WT	PD	CS	P/A/A
	1. You review systems, procedures and practices for marketing and costing in the context of legislation, regulation, inspection and organisational requirements .								
2. You research potential markets and development opportunities and identify any financial and support implications for yourself and the provision .									
3. You make links and develop relationships that will enhance the marketing of your provision.									
4. You identify and compare the quality and pricing of services offered by competitors against your own.									
5. You identify strengths, weaknesses, opportunities and threats that exist for the services you offer, taking account of current and future needs of the provision.									
6. You identify the unique aspects of the provision that have marketing potential.									
7. You identify and manage risks associated with marketing and pricing your services.									
8. You monitor changes and respond appropriately to market and other requirements that might affect the viability of your provision.									
9. You establish the best places and ways to market your provision.									

*DO = Direct Observation RA = Reflective Account Q = Questions PD = Professional Discussion
 EW = Expert Witness WP = Work Product WT = Witness Testimony CS = Case Study
 P/A/A = Projects/Assignment/APL*

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LMC E13.2 Negotiate contracts to ensure the continuing development and functioning of the provision

Performance criteria	DO	RA	EW	Q	WP	WT	PD	CS	P/A/A
1. You identify grants and contracts that are appropriate to current, short, medium and long-term needs of your provision.									
2. You seek tendering opportunities appropriate to your provision.									
3. You respond to individual requests in accordance with legal, regulatory and organisational requirements .									
4. You evaluate tendering opportunities and individual requests appropriate for: (a) the continuing development, viability and functioning of your provision (b) achieving positive outcomes for people (c) your provision's performance indicators and targets									
5. You carry out a risk assessment and an analysis of the benefits of tendering for particular contracts to assess whether your provision: (a) has the appropriate resources to meet any contractual requirements for tenders and individual requests (b) may require specialist intervention and management, equipment and expertise when preparing for and carrying out the services involved in the tender or individual request for services (c) is able to begin the contract, if selected (d) is able to complete any contractual requirements to time and cost (e) will contribute to the viability of your provision									
6. You follow tendering instructions and ensure that you involve those providing governance and relevant others appropriately.									
7. You enter into post-contractual negotiations, where required.									
8. You seek feedback when proposals are unsuccessful.									

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LMC E13.3 Monitor and evaluate marketing and contracting systems, procedures and practices for the provision

Performance criteria	DO	RA	EW	Q	WP	WT	PD	CS	P/A/A
1. You analyse information to evaluate the effectiveness of policies, procedures and practices for marketing and contracting to identify those that positively contribute to meeting: (a) the provision's performance indicators and targets (b) the provision's strategic objectives and vision (c) positive outcomes for people (d) the continuing development, functioning and viability of the provision									
2. You consult with people, workers and those providing governance to identify the effectiveness of your provision's marketing and contracting.									
3. You identify good practice and areas for improvement.									
4. You record and report on the outcomes of the evaluation and communicate these to relevant individuals.									
5. You liaise with relevant individuals and gain approvals, adapt systems, procedures and practices to better meet the marketing and contracting needs of provision.									

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To be completed by the Candidate

I SUBMIT THIS AS A COMPLETE UNIT

Candidate's name:

Candidate's signature:

Date:

To be completed by the Assessor

It is a shared responsibility of both the candidate and assessor to claim evidence, however, it is the responsibility of the assessor to ensure the accuracy/validity of each evidence claim and make the final decision.

I CERTIFY THAT SUFFICIENT EVIDENCE HAS BEEN PRODUCED TO MEET ALL THE ELEMENTS, PCS AND KNOWLEDGE OF THIS UNIT.

Assessor's name:

Assessor's signature:

Date:

Assessor/Internal Verifier Feedback

To be completed by the Internal Verifier if applicable

This section only needs to be completed if the Unit is sampled by the Internal Verifier

Internal Verifier's name:

Internal Verifier's signature:

Date: